

JAN 28 2020

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

David J. Bradley, Clerk

United States of America)

v.)

Felipe TUDON Jr. (U.S.C. / Y.O.B. 1985))

Juan Angel HERNANDEZ (Mexican National / Y.O.B.)
1985))

Defendant

Case No.

M-20-0241-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 05/07/2019 in the county of Hidalgo in the Southern District of Texas, the defendant(s) violated Title 18 U. S. C. § Sections 922(a)(6) & 2, an offense described as follows:

Title 18 U.S.C. Section 922(a)(6): It shall be unlawful for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed importer, licensed manufacturer, licensed dealer, or licensed collector, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false, fictitious, or misrepresented identification, intended or likely to deceive such importer, manufacturer, dealer or collector with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition under the provisions of this chapter.

Title 18 U.S.C. Section 2: Aiding and Abetting

This criminal complaint is based on these facts:

SEE ATTACHMENT A

☒ Continued on the attached sheet.approved by AUSA Francisco E. Balle
on 1/28/2020.

Complainant's signature

Alexander Estrada, ATF Special Agent

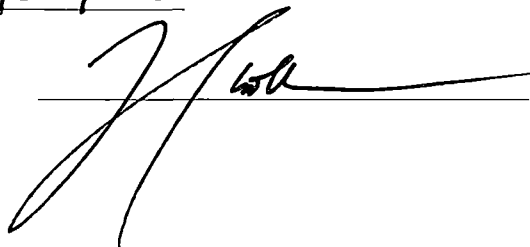
Printed name and title

Sworn to before me and signed in my presence.

Date:

1/28/2020

City and state:



Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

I, Alexander Estrada, being duly sworn, do hereby state that I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), a Division of the United States Department of Justice, and have been so employed since January of 2016.

This affidavit is in support of a criminal complaint charging Juan Angel HERNANDEZ, hereinafter referred to as "HERNANDEZ" and Felipe TUDON Jr., hereinafter referred to as "TUDON" with the criminal violations set forth. The evidence available to me demonstrates that there is probable cause that TUDON and HERNANDEZ have violated Title 18 United States Code Section 922(a)(6) and 2.

The Affiant states as follows:

Previously, ATF SA Alexander Estrada received information in reference to a suspicious firearm purchase of an FNH, Five Seven, 5.7 caliber pistol made by TUDON. A review of the ATF Form 4473 (Firearms Transaction Record) revealed that TUDON purchased the aforementioned firearm on May 7, 2019 from a Federal Firearms Licensee (FFL) in McAllen, Texas.

On May 15, 2019, ATF SA Estrada and another ATF SA completed a consensual interview of TUDON regarding the aforementioned firearm purchased on May 7, 2019. During the interview, TUDON admitted that he made a false statement on the ATF Form 4473 (Firearm Transaction Record) when he indicated he was the actual purchaser of the firearm when in truth and in fact, TUDON purchased the firearm on behalf of HERNANDEZ. Furthermore, TUDON stated that HERNANDEZ recruited him and paid him two hundred dollars (\$200.00) to straw purchase the aforementioned firearm for HERNANDEZ.

On May 20, 2019, a recorded phone call was placed to HERNANDEZ that corroborated information received from TUDON. During the recorded phone call, HERNANDEZ requested for his phone number to be passed to another individual to coordinate the straw purchase of AK47-type and AR-type firearms.

As a result, HERNANDEZ aided and abetted TUDON to commit an offense against the United States by recruiting TUDON to straw purchase a firearm, causing TUDON to, in connection with the acquisition of firearms from licensed dealers, knowingly make false written statements and representations intended or likely to deceive such licensed dealers with respect to facts material to the lawfulness of the sale of such firearm in violation of Title 18 U.S.C. Sections 922(a)(6) and 2.